IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

WRIT PETITION NO.1550 OF 2005

Gopichand Gokuldas Jaysinghani).. Petitioner

Versus

Divisional Joint Registrar Co-operative Societies, Pune Division, Pune & ors.).. Respondents

Dr.V.K.Choudhari for the Petitioner.

Mr.M.H.Solkar, AGP, for Respondent No.1.

CORAM: SMT.NISHITA MHATRE, J.

DATED: 24TH MARCH 2005

P.C.:

. This Petition challenges the order passed by the Divisional Joint Registrar, Co-operative Societies, Pune. A contention was raised that the Petitioner was not able to attend the proceedings in Revision because he was a heart patient despite which thereafter the Revision Application came to be dismissed. On a Writ Petition being filed and on this Court being satisfied that there was compliance of Section 154 of the Maharashtra Co-operative Societies Act, 1960, the proceedings were restored. The Divisional Joint Registrar has found that the agreed rate of interest was 18% and not 20% as sought to be recovered under the impugned recovery certificate. Accordingly, while allowing the Revision Application partly, the authority

has modified the order passed in Application No.3062 of 2001 and has held that the Bank can charge interest at the rate of 18% per annum and not at the rate of 20% as mentioned in the recovery certificate. I see no reason to interfere with this finding. Hence, Petition dismissed.